

REMARKS

Reconsideration of this application is respectfully requested.

This application has been reviewed in light of the Office Action dated July 16, 2003. Claims 1-24 are currently pending in the application. Claims 1-5, 9-17, and 21-24 have been rejected, and Claims 6-8 and 18-20 have been objected to, but still have been found to contain allowable subject matter.

In the Office Action, the Examiner has rejected Claims 1 and 13 under 35 U.S.C. § 103(a) as being unpatentable over Applicants' admitted prior art in view of *Giles* (U.S. 6,208,696 B1), Claims 3-5, 9-12, 15-17, and 21-24 under 35 U.S.C. § 103(a) as being unpatentable over Applicants' admitted prior art and *Giles* in view of *Scott et al.*, and Claims 2 and 14 under 35 U.S.C. § 103(a) as being unpatentable over Applicants' admitted prior art and *Giles*, and further in view of *Nakamura et al.* (U.S. 6,314,090).

As stated above, the Examiner has rejected Claims 1 and 13, the independent claims of the present application, under 35 U.S.C. § 103(a) as being unpatentable over Applicants' admitted prior art in view of *Giles*. Specifically, the Examiner asserts that Applicants' admitted prior art discloses all the elements of Claims 1 and 13 except for intermittently transmitting a preamble signal during a preamble interval prior to a transmission interval of a reverse access channel message, which is allegedly disclosed in *Giles*. It is respectfully submitted that the Examiner is incorrect.

In this rejection, the Examiner cites Fig. 4, reference numeral 20 of *Giles* as disclosing intermittently transmitting a preamble signal during a preamble interval prior to a transmission interval of a reverse access channel message. However, reference numeral 20 in Fig. 4 merely identifies a preamble portion 20 that consists of 0's and 1's. That is, Fig. 4 illustrates an alternating binary signal being transmitted *constantly* during the preamble portion 20, not intermittently transmitting a preamble signal during a preamble interval prior to a transmission interval of a reverse access channel message as is recited in independent Claims 1 and 13. Therefore, it is

respectfully submitted that the Examiner is incorrect in his interpretation of *Giles*, and the rejection of Claims 1 and 13. Accordingly, it is respectfully requested that the rejection of Claims 1 and 13 be withdrawn.

Further, it is respectfully submitted that Claims 1 and 13 are in condition for allowance. Without conceding the patentability per se of dependent Claims 2-12 and 14-24, they are likewise believed to be allowable by virtue of their dependence on Claims 1 and 13, respectively. Accordingly, reconsideration and withdrawal of the rejections and objections of dependent Claims 2-12 and 14-24 are respectfully requested.

In view of the preceding amendments and remarks, it is respectfully submitted that all pending claims, namely Claims 1-24 are in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,



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